

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DENNIS WRIGHT,**  
**Petitioner,**

**v.**

**BARRY SMITH,**  
**THE DISTRICT ATTORNEY OF THE**  
**COUNTY OF PHILADELPHIA, PA, and**  
**THE ATTORNEY GENERAL OF THE**  
**STATE OF PENNSYLVANIA,**  
**Respondents.**

**CIVIL ACTION**

**NO. 18-5324**

**ORDER**

**AND NOW**, this 30th day of March, 2020, upon consideration of the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Dennis Wright (Document No. 1, filed December 10, 2018), the record in this case, the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated July 29, 2019 (Document No. 9), and *pro se* petitioner's Objections to Magistrate's Report and Recommendation and Motion for Leave to Amend Habeas Corpus [sic] to Assert New Rules of Law (Document No. 13, filed August 29, 2019), for the reasons stated in the accompanying Memorandum dated March 30, 2020, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated July 29, 2019, is **APPROVED** and **ADOPTED**;
2. *Pro se* petitioner's objections to the Report and Recommendation of Magistrate Judge Elizabeth T. Hey are **OVERRULED**;
3. *Pro se* petitioner's motion for leave to amend his habeas corpus petition is **DENIED**; and

4. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Dennis Wright, is **DISMISSED**.

**IT IS FURTHER ORDERED** that a certificate of appealability will not issue because reasonable jurists would not debate the propriety of this Court's procedural rulings with respect to the *pro se* petition for a writ of habeas corpus and the motion for leave to amend. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**IT IS FURTHER ORDERED** that the time for filing a notice of appeal or taking any other action relating to this Order and attached Memorandum shall not begin to run until *pro se* petitioner is served with copies of the said documents.

**BY THE COURT:**

/s/ **Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**